

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHANE HOLLOWAY,)	
)	Civil Action No. 21-407
Plaintiff,)	
)	Judge Robert J. Colville
vs.)	
)	Magistrate Judge Maureen P. Kelly
JOHN WETZEL and LEE ESTOCK,)	
)	
Defendants.)	

ORDER OF COURT

Before the Court is Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunctive Relief. (ECF No. 18). On September 23, 2021, the Honorable Maureen P. Kelly issued a Report and Recommendation (ECF No. 25) in which she recommended that the motion be denied. Plaintiff filed timely Objections (ECF No. 28) to Judge Kelly's Report and Recommendation.

The district court must make a *de novo* determination of those portions of the report to which objections are made. 28 U.S.C. § 636(b)(1)(C); *see also Henderson v. Carlson*, 812 F.2d 874, 877 (3d Cir.1987). This Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The district court judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

Upon review of Judge Kelly's September 23, 2021 Report and Recommendation, Plaintiff's Objections, as well as a review of the entire record in this matter, it is hereby ORDERED that Plaintiff's Objections to the Report and Recommendation are overruled and the Court approves and adopts the Report and Recommendation in its entirety as the Opinion of the Court. Plaintiff has not shown a reasonable probability of success on the merits and that he will suffer

irreparable harm if the injunctive relief is not granted. The Motion for Temporary Restraining Order and Preliminary Injunctive Relief. (ECF No. 18) is hereby DENIED.

BY THE COURT:

s/Robert J. Colville

Robert J. Colville
United States District Judge

DATED: December 30, 2021

cc/ecf: All counsel of record

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